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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,480	05/09/2001	Nicola John Policicchio	7368	5662

27752 7590 02/12/2004

THE PROCTER & GAMBLE COMPANY
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EXAMINER

LE, HUYEN D

ART UNIT PAPER NUMBER

3751

DATE MAILED: 02/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/831,480

Applicant(s)

POLICICCHIO ET AL.

Examiner

Huyen Le

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 87-103, 105 and 113-117 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 87-103, 105 and 113-117 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 86-90, 100-102, 116, 117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Policicchio et al (6,101,661).

The Policicchio et al reference discloses a cleaning implement comprising a handle 2; a support head 3 pivotally attached to the handle 2; a disposable cleaning substrate 7 removably attached to the support head 2, wherein the disposable cleaning substrate 7 has a t1200 absorbent capacity of at least 5g/g; and a liquid delivery system for providing a cleaning liquid to a surface to be cleaned on an area in front of the support head 3.

Although the Policicchio et al reference is not specific about the volume of the cleaning fluid and cleaning efficiency of which the delivery system sprays, it would have been obvious to one of ordinary skill in the art at the time the invention was made to select and to adjust the liquid delivery system that sprays the cleaning fluid at a certain rate to optimize the performance and cleaning efficiency of the cleaning implement. See *In re Aller*, 105 USPQ 233, using the optimum or workable ranges involves only routine skill in the art.

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3. Claims 91-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Policicchio et al (6,101,661) in view of WO 99/05955.

Although the Policicchio et al reference does not specifically disclose that the liquid delivery system comprises a pump, an electric motor driving a pump, and a voltage source powering a motor, attention is directed to the WO 99/05955 reference which discloses another cleaning implement comprising a pump 30 for pumping the liquid from a reservoir to a nozzle, an electric motor driving a pump, and a voltage source for powering the motor 30.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ an electric pump in the Policicchio et al clean system in view of the teaching of the WO '955 reference for delivering cleaning liquid from the reservoir to the nozzle.

4. Claims 113-115 are rejected under 35 U.S.C. 103(a) as being unpatentable over Policicchio et al (6,101,661) in view of Wright et al (6,000,088).

Although the Policicchio et al reference does not disclose that the cleaning implement comprises a scrubbing strip releasably attached to the support head 3, attention is directed to the Wright et al reference which discloses another cleaning implement comprising a scrubbing strip 306 (Fig. 7A) attached to the support head by Velcro.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the Policicchio cleaning implement with a

scrubbing strip in view of the teaching of the Wright et al reference for facilitating scrubbing a soiled surface.

5. Claims 103 and 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia (5,419,015) in view of Lamm (4,432,472).

The Garcia reference discloses a cleaning implement comprising a handle 21; a support head 26 pivotally attached to the handle 21; a cleaning substrate 31 removably attached to the support head 26.

Although the Garcia reference does not disclose a hand-held liquid sprayer removably attached to the cleaning implement, attention is directed to the Lamm reference which shows a hand-held liquid sprayer 14 attached to the floor buffering device for providing cleaning liquid to a surface to be cleaned, wherein the sprayer is stored within a cage 18 attached to a handle.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a hand-held sprayer on the Garcia cleaning device in view of the teaching of the Lamm reference for conveniently providing cleaning liquid to a surface to be cleaned.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Le whose telephone number is 703-306-5504. The examiner can normally be reached on Monday-Friday from 9:00 am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on 703-308-2580. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HL

January 30, 2004



GREGORY L. HUSON
SUPERVISORY PATENT EXAMINER
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